

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

DOCKET NO. 3:12cr266-FDW

UNITED STATES OF AMERICA)	
)	FINAL ORDER AND JUDGMENT
v.)	CONFIRMING FORFEITURE
)	
LINDA SMOOT RADEKER)	

Upon Motion of the United States for a Final Order and Judgment of Forfeiture, THE COURT FINDS AS FOLLOWS:

On September 13, 2012, this Court entered a Consent Order and Judgment of Forfeiture based upon Defendant's plea of guilty to Counts One, Two and Three in the Bill of Information and evidence already on record. The Consent Order was signed by Defendant and also included a waiver by her spouse of any interest in forfeited properties.

On November 14, 2012 through December 13, 2012, the United States published, via www.forfeiture.gov, notice of this forfeiture and of the intent of the government to dispose of the forfeited property according to law, and further notice to all third parties of their right to petition the Court within sixty days from November 14, 2012 for a hearing to adjudicate the validity of any alleged legal interest in the property. The Government also sent personal notice to Everhome Mortgage and Mortgage Investors Corporation. Subsequently, the Government entered into a Consent Order and Third Party Petition with Mortgage Electronic Registration System, Inc. as nominee for Lender and Lender's successors and assigns, stipulating and agreeing on the sale of the real property and distribution of the net proceeds.

It appears from the record that no other such petitions have been filed. Based on the record in this case, including the defendant's plea of guilty, the Court finds, in accordance with

Rule 32.2(c)(2), that the Defendant had an interest in the property that is forfeitable under the applicable statute.

IT IS, THEREFORE, ORDERED:

In accordance with Rule 32.2(c)(2), the Consent Order and Judgment of Forfeiture is confirmed as final. All right, title, and interest in the following property, whether real, personal, or mixed, has therefore been forfeited to the United States for disposition according to law:

The real property at 518 W. Sumter Street, Shelby, North Carolina, more particularly described in a deed to Linda F. Smoot-Radeker recorded in Cleveland County Register of Deeds 1409, Page 795;

One 2010 Lincoln MKX VIN 2LMDJ8JC5ABJ30409;

One 2010 Ford Ranger, VIN 1FTKR4EE3APA67310;

One 1998 Coachman RV, VIN 1FDXE40SXWHA39757;

All jewelry and precious metals purchased during the course of the offenses set forth in the Bill of Information, including, but not limited to at least \$551,867 in rings, earrings, diamonds, necklaces, gem stones and pendants;

One Rolex Oyster Datejust Watch purchased during the course of the offenses set forth in the Bill of Information;

All assets in Wells Fargo Advisors Account XXXX-0101, such investment account held in the name of Wellness Training Associates, Inc.;

All funds in Wells Fargo Account XXXXXXXXXX6797, such account held in the name of Wellness Training Associates, Inc.;

All funds in Wells Fargo Account ending in 0849, such account held in the name of Wellness Training Associates;

All funds in Wells Fargo Account ending in 9011, such account held in the name of Wellness Training Associates; and

All funds in State Employees Credit Union Account XXXX2802, such account held in the name of Linda Smoot Radeker.

Signed: October 10, 2013

A handwritten signature in black ink, reading "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
Chief United States District Judge

